

AMENDED IN SENATE APRIL 27, 2010

AMENDED IN SENATE APRIL 6, 2010

**SENATE BILL**

**No. 1332**

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**Introduced by Senator Dutton**

February 19, 2010

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An act to add Section 107046 to the Health and Safety Code, relating to radiologic technology, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1332, as amended, Dutton. Radiologic technology.

Existing law requires the State Department of Public Health to approve schools for radiologic technologists that, in the judgment of the department, will provide instruction adequate to prepare individuals to meet requirements for certification as radiologic technologists under the Radiologic Technology Act. Existing law also requires the department to adopt reasonable standards for approved schools, for procedures for obtaining and maintaining approval, and for revocation of approval where standards are not maintained.

Existing law authorizes the department, when approving a school for radiologic technologists, to take into consideration accreditation, approval, or certification of the school by other agencies or organizations if the department finds that accreditation, approval, or certification was granted on the basis of standards that will afford the same protection to the public as the standards provided by the Radiologic Technology Act or the regulations adopted pursuant thereto.

This bill would require the department, *subject to specified conditions*, when approving a school ~~for that teaches diagnostic or therapeutic radiologic technologists programs~~, to approve a school that it determines

has met the requirements in a specified document published by the Joint Review Committee on Education in Radiologic Technology. *The bill would also require the department to adopt the standards through a specified process before approving schools.*

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature hereby finds and declares all of  
2 the following:

3 (a) State regulations and standards on the teaching of radiologic  
4 technologists and accreditation of radiologic technology schools  
5 are outdated and may not offer adequate protection to the public.

6 (b) Radiologic technology schools should be allowed to continue  
7 teaching students as long as they are accredited by an agency  
8 recognized by the federal Department of Education to accredit  
9 education programs in radiography and radiation therapy.

10 (c) The standards, curriculum requirements, and teaching  
11 methods prescribed in the Standards for an Accredited Education  
12 Educational Program in Radiologic Sciences, ~~as revised in 2001,~~  
13 published by the Joint Review Committee on Education in  
14 Radiologic Technology ~~are~~ *have been* determined to afford the  
15 same protections to the public as provided by California law and  
16 regulations.

17 ~~(d) Implementation of this act will not require regulations~~  
18 ~~because, during the last 10 years, the department has, in lieu of~~  
19 ~~developing a department accreditation process, approved the~~  
20 ~~radiologic technology program accredited by the Joint Review~~  
21 ~~Committee on Education in Radiologic Technology.~~

22 (e)

23 (d) This act is not intended to limit the ability of the State  
24 Department of Public Health to review and inspect materials  
25 provided by schools for accreditation under the Joint Review  
26 Committee on Education in Radiologic Technology program.

27 (f)

28 (e) This act is not intended to limit the ability of the State  
29 Department of Public Health to inspect teaching site locations or

1 other documents with respect to the state ~~licensing~~ *regulation* of  
2 equipment or training personnel.

3 SEC. 2. Section 107046 is added to the Health and Safety Code,  
4 to read:

5 ~~107046. Notwithstanding any other law~~*(a) In addition to*  
6 *Sections 107045 and 107050, the department shall approve schools*  
7 *for radiologic technologists that meet the Standards for an*  
8 ~~Accredited Education~~*Educational Program in Radiologic Sciences,*  
9 *published by the Joint Review Committee on Education in*  
10 *Radiologic Technology, as they exist on January 1, 2010.*

11 *(b) This section shall only apply to schools teaching diagnostic*  
12 *or therapeutic radiologic programs.*

13 *(c) This section shall only be implemented if both of the*  
14 *following are complete:*

15 *(1) The standards set forth in subdivision (a) are available to*  
16 *schools free of charge and accessible on the department's Internet*  
17 *Web site or through a link to the standards.*

18 *(2) To the extent permitted by federal and state health privacy*  
19 *laws, the department has an agreement with the Joint Review*  
20 *Committee on Education in Radiologic Technology to provide*  
21 *access to the following information:*

22 *(A) School accreditation materials.*

23 *(B) Allegation of noncompliance by a school.*

24 *(C) Program reviews performed on schools located in*  
25 *California.*

26 *(d) Before approving a school pursuant to this section, the*  
27 *department shall adopt the standards referred to in subdivision*  
28 *(a). At least 45 days prior to adoption, the department shall post*  
29 *the proposed standards on its Internet Web site. Public comment*  
30 *shall be accepted by the department for at least 30 days after the*  
31 *proposed standards are posted. If a member of the public requests*  
32 *a public hearing during the 30-day review period, the hearing*  
33 *shall be held prior to adoption of the standards. Changes to the*  
34 *standards shall be made following the same process. Adoption of,*  
35 *and changes to, the standards pursuant to this subdivision shall*  
36 *not be subject to the rulemaking requirements of Chapter 3.5*  
37 *(commencing with Section 11340) of Part 1 of Division 3 of Title*  
38 *2 of the Government Code and written responses to public comment*  
39 *shall not be required.*

1 SEC. 3. This act is an urgency statute necessary for the  
2 immediate preservation of the public peace, health, or safety within  
3 the meaning of Article IV of the Constitution and shall go into  
4 immediate effect. The facts constituting the necessity are:

5 In order to protect the health and safety of patients and to enable  
6 radiologic technology schools to accept students in programs for  
7 the 2010–11 fall semester, it is necessary for this act to take effect  
8 immediately.